

**§ 92.212 Labeling.**

(a) *General requirements.* Each new locomotive and new locomotive engine, subject to the emission standards of this part and covered by a certificate of conformity under § 92.208, shall be labeled by the manufacturer or remanufacturer in the manner described in this section at the time of manufacture or remanufacture.

(b) *Locomotive labels.* (1) Locomotive labels meeting the specifications of paragraph (b)(2) of this section shall be applied by:

(i) The manufacturer at the point of original manufacture; and

(ii) The remanufacturer at the point of original remanufacture; and

(iii) Any remanufacturer certifying a locomotive or locomotive engine to an FEL different from the last FEL or standard to which the locomotive was previously certified.

(2)(i) Locomotive labels shall be permanent and legible and shall be affixed to the locomotive in a position in which it will remain readily visible.

(ii) The label shall be attached to a locomotive chassis part necessary for normal operation and not normally requiring replacement during the service life of the locomotive. This label may not be attached to the engine.

(iii) The label shall be affixed by the manufacturer or remanufacturer, in such manner that it cannot be removed without destroying or defacing the label. The label shall not be affixed to any equipment which is easily detached from such locomotive.

(iv) The label may be made up of more than one piece permanently attached to the same locomotive part, except for Tier 0 locomotives, where you may attach it to separate parts.

(v) The label shall contain the following information lettered in the English language in block letters and numerals, which shall be of a color that contrasts with the background of the label:

(A) The label heading: Original Locomotive Emission Control Information. Manufacturers and remanufacturers may add a subheading to distinguish this label from the engine label described in paragraph (c) of this section.

(B) Full corporate name and trademark of the manufacturer or remanufacturer.

(C) Engine family and configuration identification.

(D) A prominent unconditional statement of compliance with U.S. Environmental Protection Agency regulations which apply to locomotives and locomotive engines, as applicable:

(1) This locomotive conforms to U.S. EPA regulations applicable to locomotives originally manufactured prior to January 1, 2002; or

(2) This locomotive conforms to U.S. EPA regulations applicable to locomotives originally manufactured on or after January 1, 2002, but before January 1, 2005; or

(3) This locomotive conforms to U.S. EPA regulations applicable to locomotives originally manufactured on or after January 1, 2005.

(E) Date of locomotive original manufacture.

(F) The useful life of the locomotive.

(G) The standards and/or FELs to which the locomotive was certified.

(c) *Engine labels.* (1) Engine labels meeting the specifications of paragraph (c)(2) of this section shall be applied by:

(i) Every manufacturer at the point of original manufacture; and

(ii) Every remanufacturer at the point of remanufacture.

(2)(i) Engine labels shall be permanent and legible and shall be affixed to the engine in a position in which it will be readily visible after installation of the engine in the locomotive.

(ii) The label shall be attached to an engine part necessary for normal operation and not normally requiring replacement during the useful life of the locomotive.

(iii) The label shall be affixed by the manufacturer or remanufacturer, in such manner that it cannot be removed without destroying or defacing the label. The label shall not be affixed to any equipment which is easily detached from such engine.

(iv) The label may be made up of more than one piece, provided that all pieces are permanently attached to the same engine part.

(v) The label shall contain the following information lettered in the

## § 92.213

## 40 CFR Ch. I (7–1–12 Edition)

English language in block letters and numerals, which shall be of a color that contrasts with the background of the label:

(A) The label heading: Engine Emission Control Information. Manufacturers and remanufacturers may add a subheading to distinguish this label from the locomotive label described in paragraph (b) of this section.

(B) Full corporate name and trademark of the manufacturer or remanufacturer.

(C) Engine family and configuration identification.

(D) A prominent unconditional statement of compliance with U.S. Environmental Protection Agency regulations which apply to locomotives and locomotive engines, as applicable:

(1) This locomotive and locomotive engine conform to U.S. EPA regulations applicable to locomotives and locomotive engines originally manufactured prior to January 1, 2002; or

(2) This locomotive and locomotive engine conform to U.S. EPA regulations applicable to locomotives and locomotive engines originally manufactured on or after January 1, 2002 and before January 1, 2005; or

(3) This locomotive and locomotive engine conform to U.S. EPA regulations applicable to locomotives and locomotive engines originally manufactured on or after January 1, 2005.

(E) The useful life of the locomotive or locomotive engine.

(F) The standards and/or FELS to which the locomotive or locomotive engine was certified.

(G) Engine tune-up specifications and adjustments, as recommended by the manufacturer or remanufacturer, in accordance with the applicable emission standards, including but not limited to idle speed(s), injection timing or ignition timing (as applicable), valve lash (as applicable), as well as other parameters deemed necessary by the manufacturer or remanufacturer.

(d) The provisions of this section shall not prevent a manufacturer or remanufacturer from also providing on the label any other information that such manufacturer or remanufacturer deems necessary for, or useful to, the proper operation and satisfactory

maintenance of the locomotive or engine.

[63 FR 18998, Apr. 16, 1998, as amended at 70 FR 40456, July 13, 2005; 73 FR 37195, June 30, 2008]

### § 92.213 Submission of locomotive and engine identification numbers.

(a) Upon request of the Administrator, the manufacturer or remanufacturer of any locomotive or locomotive engine covered by a certificate of conformity shall, within 30 days of receipt of such request, identify by locomotive and/or engine identification number, the locomotives or engines covered by the certificate of conformity.

(b) The manufacturer or remanufacturer of any locomotives or locomotive engines covered by a certificate of conformity shall provide to the Administrator, within 60 days of the issuance of a certificate of conformity, an explanation of the elements in any locomotive or engine identification coding system in sufficient detail to enable the Administrator to identify those locomotives or engines which are covered by a certificate of conformity.

EFFECTIVE DATE NOTE: At 63 FR 19051, Apr. 16, 1998, § 92.213 was added. This section contains information collection and record-keeping requirements and will not become effective until approval has been given by the Office of Management and Budget.

### § 92.214 Production locomotives and engines.

Any manufacturer or remanufacturer obtaining certification under this part shall supply to the Administrator, upon his/her request, a reasonable number of production locomotives or locomotive engines, as specified by the Administrator. The maximum number of locomotives or locomotive engines that may be supplied to the Administrator is five per model year. The locomotives or locomotive engines shall be representative of the engines, emission control systems, and fuel systems offered and typical of production locomotives or engines available for sale, or use by railroads, under the certificate. These locomotives or engines shall be supplied for testing at such time and place and for such reasonable periods as the Administrator may require.